

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PATRICK GUILLORY,

Plaintiff,

-v-

5:21-CV-1177

NURSING SUPERVISOR *et al.*,

Defendants.

APPEARANCES:

OF COUNSEL:

PATRICK GUILLORY

Plaintiff, Pro Se

50 Caton Drive, Apt. No 54-C

Dewitt, NY 13214

BOND SCHOENECK & KING, PLLC

Attorneys for Defendants

One Lincoln Center

Syracuse, NY 13202

ADAM P. MASTROLEO, ESQ.

DAVID N. HURD

United States District Judge

ORDER ON REPORT & RECOMMENDATION

On October 28, 2021, *pro se* plaintiff Patrick Guillory (“plaintiff”) filed this action against several hospital employees alleging that they retaliated against him for engaging in certain constitutionally protected conduct. Dkt.

No. 1. Plaintiff also sought leave to proceed *in forma pauperis* (“IFP application”). Dkt. No. 3.

On November 2, 2021, U.S. Magistrate Judge Andrew T. Baxter granted plaintiff’s IFP application for the limited purpose of filing and advised by Report & Recommendation (“R&R”) that plaintiff’s complaint be dismissed without prejudice and without leave to amend. Dkt. No. 4. In light of plaintiff’s extensive history of filing frivolous complaints in this judicial district, Judge Baxter’s R&R further recommended that this matter be referred to Chief District Judge Glenn T. Suddaby for the issuance of a pre-filing injunction. *Id.*

Plaintiff has not filed objections, and the time period in which to do so has expired. *See* Dkt. No. 4. Upon review for clear error, the R&R will be accepted and adopted in all respects. *See* FED. R. CIV. P. 72(b).

Therefore, it is

ORDERED that

1. The Report & Recommendation is ACCEPTED;

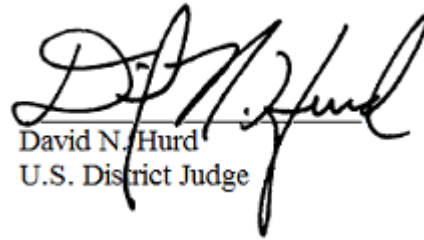
2. Plaintiff’s complaint is DISMISSED WITHOUT LEAVE TO AMEND;

and

3. This matter is REFERRED to Chief Judge Suddaby for the issuance of a pre-filing injunction permanently enjoining plaintiff from filing any other *pro se* cases in this District without leave of the Chief District Judge.

IT IS SO ORDERED.

Dated: November 30, 2021
Utica, New York.



David N. Hurd
U.S. District Judge